

1 RILEY A. CLAYTON
Nevada Bar No. 005260
2 SIRIA L. GUTIÉRREZ
Nevada Bar No. 011981
3 rclayton@lawhjc.com
4 sgutierrez@lawhjc.com

5 **HALL JAFFE & CLAYTON, LLP**
7425 PEAK DRIVE
6 LAS VEGAS, NEVADA 89128
(702) 316-4111
7 FAX (702) 316-4114

8 *Attorneys for Defendant*
9 *Denny's, Inc.*

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 MONICA HINOSTROZA,

13 Plaintiff,

14 vs.

15 DENNY'S, INC., d/b/a DENNY'S
16 RESTAURANT, a Foreign corporation, DOES 1
through 20; ROE BUSINESS ENTITIES 1
through 20, inclusive jointly and severally,

17 Defendants.

CASE NO.: 2:17-cv-02561-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
CURRENT DISCOVERY DEADLINES I
COMPLIANCE WITH LOCAL RULE 26-4**

FIRST REQUEST

18
19 IT IS HEREBY STIPULATED by and between Plaintiff Monica Hinostroza and Defendant
20 Denny's, Inc., d/b/a Denny's Restaurant, by and through their respective counsel of record, and
21 hereby stipulate to extend all current deadlines by 60-days. Pursuant to Local Rule 6-1(b), the
22 parties state that this is their first request for extension of discovery deadlines.

23 **REASONS FOR NECESSITY OF STIPULATION**

24 The parties stipulate that because this matter involves extensive medical treatment incurred
25 by Plaintiff Monica Hinostroza in Boston, Massachusetts, between the time of the alleged incident
26 on February 22, 2016, and the filing of this lawsuit, the parties need additional time to evaluate,
27 retain, and receive expert reports from their respective experts. The parties have been diligently
28 working together to attempt to complete discovery within the time period; however, Plaintiff being

1 out-of-state has caused unforeseen delays. Additionally, Denny's first notice of the claim was the
2 lawsuit itself and it continues to investigate this claim, including the possibility that the alleged fall
3 occurred on a different premises or may necessitate the inclusion of other parties.

4 As a result of the delays in obtaining records from across the U.S. and questions about the
5 location of the fall, the parties agree to extend all current deadlines by 60-days in compliance with
6 Local Rule 26-1(e) and Local Rule 26-4. The parties have good cause for seeking this extension of
7 the deadlines. This request for extension is made by the parties and is made in good faith and not for
8 the purpose of delay, but to allow all parties sufficient time to conduct necessary discovery.

9 **DISCOVERY COMPLETED**

- 10 • Denny's Inc. exchanged FRCP 26(a) disclosures on November 9, 2017.
11 • Plaintiff exchanged FRCP 26(a) disclosures on November 15, 2017.
12 • Denny's Inc. propounded its first set of written discovery on Plaintiff November 9, 2017.
13 • Plaintiff propounded written discovery on Denny's Inc. on December 6, 2017.
14 • Denny's Inc. and Plaintiff have been diligently requesting Plaintiff's medical records.

15 **DISCOVERY PENDING**

- 16 • Denny's Inc. anticipates taking the deposition of Plaintiff, Jose Hinostroza, and Plaintiff's
17 treating physicians in Boston Massachusetts;
18 • Plaintiff anticipates taking an FRCP 30(b)(6) deposition(s) of Denny's Inc.;
19 • Plaintiff anticipates taking the depositions of Denny's Inc.'s Expert Witness(es); and
20 • Denny's Inc. anticipates taking the depositions of Plaintiff's Expert Witness(es).

21 **[PROPOSED] NEW DISCOVERY DEADLINES**

22 **Last day to Amend and Add new Parties..... March 2, 2018**

23 **Expert Disclosure Deadline April 2, 2018**

24 **Joint Interim Status Report Deadline April 2, 2018**

25 **Rebuttal Expert Disclosure Deadline May 2, 2018**

26 Pursuant to LR 26-4, any request to extend a discovery deadline must be filed at least 21
days prior to the expiration of the subject deadline.

27 **Discovery Cut-Off Date June 1, 2018**

28 **Dispositive Motion Deadline July 2, 2018**

Proposed Joint Pre-Trial Order August 1, 2018

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline.

DATED this __27__ day of December, 2017.

DATED this __27__ day of December, 2017.

HALL, JAFFE & CLAYTON

RICHARD HARRIS LAW FIRM

/s/ Siria L. Gutierrez

/s/ Michaela E. Tramel

Riley A. Clayton, Esq.

Michaela E. Tramel, Esq.

Nevada Bar No. 5260

Nevada Bar No. 9466

Siria L. Gutiérrez, Esq.

801 South Fourth Street

Nevada Bar No. 11981

Las Vegas, NV 89101

7425 Peak Drive

Las Vegas, Nevada 89128

Attorneys for Plaintiff

Monica Hinostrroza

*Attorneys for Defendant
Denny's, Inc.*

ORDER

IT IS SO ORDERED.

Dated December 28, 2017


UNITED STATES MAGISTRATE JUDGE